

09-cv-2501

FORM TO BE USED BY A PRISONER FILING A
42 U.S.C. § 1983 CIVIL RIGHTS COMPLAINT
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

I. CAPTION

Iman Sharif
(Enter the full name of the plaintiff or plaintiffs)

Nathan Picone
Brian Potance
Thomas Pinto
(Enter the full name of the defendant or defendants)

John Doe **RECEIVED**
JUN - 1 2009

FILED

JUN 01 2009

II. PARTIES

a. Plaintiff
Full name: Iman Sharif MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

Prison Identification number: 147037

Place of present confinement: 38 North 4th Street (Lehigh County Prison)

Address: _____

Place of confinement at time of incidents or conditions alleged in complaint, including address:

666 Walnut Street (Northampton County Prison)

Additional plaintiffs: Provide the same information for any additional plaintiffs on the reverse of this page or on a separate sheet of paper.

b. Defendants: (list only those defendants named in the caption of the complaint, section I)

1. Full name including title: C/O Nathan Picone
Place of employment and section or unit: Northampton County Prison (RHU)

2. Full name including title: C/O Brian Potance
Place of employment and section or unit: Northampton County Prison (RHU)

3. Full name including title: Thomas Pinto
Place of employment and section or unit: Northampton County Prison (RHU)

4. Full name including title: C/O John Doe
Place of employment and section or unit: Northampton County Prison (RHU)

Additional defendants: Provide the same information for any additional defendants on the reverse of this page or on a separate sheet of paper.

III. PREVIOUS LAWSUITS

Instructions:

If you have filed other lawsuits in any federal or state court dealing with the same facts as this complaint or other facts related to your imprisonment, you must provide the information requested below. If you have not filed other lawsuits, proceed to Section IV, Administrative Remedies, on this page.

If you have filed other lawsuits, provide the following information.

Parties to your previous lawsuit:

Plaintiffs Iman Sharif
 Defendants 90 Paul R. Her, Todd Buskirk, William Severy
 Issues: violation of due process

(There was an attempt on my life)

Court: if federal, which district? Eastern District

if state, which county? N/A

Docket number: 08-2146 Date filed: 5.14.2009

Name of presiding judge: Robert Kelly

Disposition: (check correct answer(s)); Date: _____

Dismissed _____ Reason? _____

Judgment _____ In whose favor? _____

Pending ☒ Current status? _____

Other _____ Explain _____

Appeal filed? _____ Current status? _____

Additional lawsuits. Provide the same information concerning any other lawsuits you have filed concerning the same facts as this action or other facts related to your imprisonment. You may use the back of this page or a separate sheet of paper for this purpose.

IV. ADMINISTRATIVE REMEDIES

Instructions:

Provide the information requested below if there is an administrative procedure to resolve the issues you raise in this complaint. Examples of administrative procedures include review of grievances, disciplinary action, and custody issues. If no administrative procedures apply to the issues in this complaint, proceed to Section V, Statement of Claim, on page 4.

a. Describe the administrative procedures available to resolve the issues raised in this complaint:

Type of procedure. (grievance, disciplinary review, etc.)

Grievance

Authority for procedure. (DC-ADM, inmate handbook, etc.)

Inmate Handbook

Formal or informal procedure. Formal

Who conducts the initial review?

~~DC-ADM~~ However Chris Nangle from Internal Affairs interviewed me on 5.4.1.09

What additional review and appeals are available?

N/A

b. Describe the administrative procedures you followed to resolve the issues raised in this complaint before filing this complaint:

On what date did you request initial review? April 19th 09

What action did you ask prison authorities to take?

To file criminal charges on the defendants and to transfer me out the Prison

What response did you receive to your request?

I was interviewed by the Internal Affairs

What further review did you seek and on what dates did you file the requests?

I wrote the Warden and Internal Affairs about the situation
3.11.09 3.15.09 3.17.09

What responses did you receive to your requests for further review?

None I was only brought up on charges on April 14th 2009 Simple Assault Harassment and Aggravated Assault

c. If you did not follow each step of the administrative procedures available to resolve the issues raised in this complaint explain why.

V. STATEMENT OF CLAIM

Instructions:

State here as briefly as possible the facts of your case. Use plain language and do not make legal arguments or cite cases or statutes. State how each defendant violated your constitutional rights. Although you may refer to any person, make claims only against the defendants listed in the Caption, Section I. Make only claims which are factually related. Each claim should be numbered and set forth in a separate paragraph with an explanation of how the defendants were involved. Use the reverse of this page or a separate sheet of paper if you need more space.

Statement of Claim:

ON March 11 09 % Picone entered my cell throwing punches and cursing. Officer Potance and Pinto then rush in and put me into a choke hold I was rendered unconscious. I woke up being stomped in my back by another officers. I ask for photos to be taken of my injuries which was denied. Once I was secured 10 officers took me to another location and continue assaulting me. Once the Kneep I was pursuing to file criminal charges they held me after my release date parole gave me and file charges on me. I'm also sending you a copy of the official grievance because it's more in detail. Those assaults retaliatory because of a previous lawsuit I file against the Prison. Medical is giving me medication of nerve damage from the hand cuffs being tight.

VI. RELIEF

Instruction: Briefly state exactly what you want the Court to do for you.

Relief sought:

Bring charges against the officers, change the grievance procedures and get compensated for my injuries and receive adequate medical care. Put cameras in the Prison so officers will be watch closely

VII. DECLARATION AND SIGNATURE

I (we) declare under penalty of perjury that the foregoing is true and correct.

5.8.09

DATE

Iman Sharif

SIGNATURE OF PLAINTIFF(S)

**FORM TO BE USED BY A PRISONER FILING AN
APPLICATION TO PROCEED IN FORMA PAUPERIS
IN A 42 U.S.C. § 1983 CIVIL RIGHTS ACTION
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

I. CAPTION

Iman Sharif
(Enter the full name of plaintiff or plaintiffs)

v.

c/o Nathan Picone
c/o Brian Polance
c/o Thomas Pinto
(Enter the full name of defendant or defendants)

John Doe

FILED

JUN 01 2009

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

Instructions:

The caption of this application should be identical to the caption of the complaint. A separate application must be completed by each plaintiff listed in the caption. Show your full name in the first line of the declaration below. Provide all information requested.

II. DECLARATION

I, (your name) Iman Sharif, declare that I am the plaintiff in the above-captioned 42 U.S.C. § 1983 civil rights action, and that I am entitled to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 because of my inability to prepay the full \$150 fee to file this action or give security therefore. I understand that the granting of in forma pauperis status does not waive payment of the full filing fee.

In further support of this application, I provide the following information:

1. Do you presently have prison employment? Yes () No ☒
 2. If you are not employed do you have other income? Yes () No ☒
 3. If "yes" to either of above, state source of monthly income and amount.
Source _____ amount _____
 4. If "no" state date and place of last employment and amount of monthly income.
Date and place _____ amount _____
 5. Do you have money in a prison account? Yes () No ☒ amount _____
 6. Do you have money in a bank account? Yes () No ☒ amount _____
 7. Do you own or have an interest in valuable property such as an automobile, real estate, stocks, or bonds? Yes () No ☒
- If "yes," describe property _____ value _____

8. List the person who depend on you for support, state their relationship to you, and how much you contribute toward their support.

9. State whether you have received within the past 12 months any money from any of the following sources:

- | | |
|--|--|
| a. Business, profession or other form of self-employment | Yes () No (<input checked="" type="checkbox"/>) |
| b. Rent payments, interest or dividends | Yes () No (<input checked="" type="checkbox"/>) |
| c. Pensions, annuities or life insurance payments | Yes () No (<input checked="" type="checkbox"/>) |
| d. Gifts or inheritances | Yes () No (<input checked="" type="checkbox"/>) |
| e. Any other sources | Yes () No (<input checked="" type="checkbox"/>) |

If the answer to any of the above is "yes", describe each source of money and state the amount received from each source during the past 12 months.

III. DECLARATION AND SIGNATURE

I declare under penalty or perjury that the foregoing is true and correct.

5.5.09
DATE

Iman Sharif
SIGNATURE OF PLAINTIFF

IV. CERTIFICATION

Instructions:

Request that an appropriate prison official provide: 1) the information below concerning your inmate trust fund account balances; and 2) a certified copy of your inmate trust fund account statement showing all deposits and withdrawals for the prior six-month period.

I certify that the applicant named herein has the sum of \$ 8.45 on account to his credit at the Lehigh County Prison institution where he is confined.

I further certify that during the last six months the applicant's average monthly account balance was \$ see attached; and that the average monthly deposits during the last six months were \$ see attached.

I further certify that the applicant has the following securities to his credit according to the records of said institution:

Lehigh County Prison

May 4, 2009
DATE

Margaret Leary - Clerical Specialist
Signature and title of authorized official